



4808 07/25/06

\$3,800.00

OFFICE OF
INSURANCE COMMISSIONER

In The Matter Of:

HOME WARRANTY OF AMERICA INC

No. D06-289

CONSENT ORDER
LEVYING A FINE

Comes Now the Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.02.080 and RCW 48.110.130, and having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following:

FINDINGS OF FACT:

1. HOME WARRANTY OF AMERICA INC is an Illinois corporation.
2. HOME WARRANTY OF AMERICA INC is a registered service contract provider, and is, therefore, governed by Chapter 48.110 RCW. The date of registration is 6/26/06.
3. Prior to its registration as a service contract provider under Chapter 48.110 RCW, HOME WARRANTY OF AMERICA INC issued 34 service contracts to residents of Washington. At the time it issued those service contracts HOME WARRANTY OF AMERICA INC was affirmatively aware of the statutory requirement for registration prior to its issuance of service contracts.

Based upon the foregoing Findings of Fact, the Commissioner makes the following:

CONCLUSIONS OF LAW

1. The issuance of service contracts by HOME WARRANTY OF AMERICA INC prior to having a valid registration was in violation of RCW 48.110.030(1).

CONSENT TO ORDER

HOME WARRANTY OF AMERICA INC consents to entry of this Order, waives further administrative or judicial proceedings in this matter, and acknowledges its duty to comply fully with the applicable laws of the State of Washington. The Commissioner has offered a settlement in lieu of suspending or revoking the registration.

By agreement of the parties, the OIC will impose a fine of \$3,800.00 on condition that:

1. Within thirty days, HOME WARRANTY OF AMERICA INC pays to the OIC the full amount of the fine.
2. HOME WARRANTY OF AMERICA INC commits no further violations of the statutes and regulations that are the subject of this Consent Order.
3. HOME WARRANTY OF AMERICA INC voluntarily consents to this order to resolve the issues and conduct described herein and with the understanding that the payment of the amount due is a condition to avoiding suspension or revocation of the registration.

EXECUTED this 21st day of JULY, 2006.

HOME WARRANTY OF AMERICA INC

Signed Name: MARC

Printed Name: MARC ROTH

Printed Title: PRESIDENT

ORDER OF THE INSURANCE COMMISSIONER

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. HOME WARRANTY OF AMERICA INC is ordered to pay a fine in the amount of \$3,800.00;
2. HOME WARRANTY OF AMERICA INC comply with the laws and regulations of the State of Washington which are the subject of this Order; and
3. Upon failure to pay the fine within the time limit set forth above, the registration of HOME WARRANTY OF AMERICA INC will be revoked.

ENTERED AT TUMWATER, WASHINGTON, this 26th day of July, 2006.

MIKE KREIDLER,
Insurance Commissioner

By: 

James T. Odiorne
Deputy Insurance Commissioner